

A. Claims 23 and 29-33

The Office Action rejected claims 23 and 29-33 under 35 U.S.C. § 102(b) as being anticipated by Paley. The rejection is improper because Paley does not disclose each and every element of the claims at issue. A claim is anticipated by a prior art reference only if each and every element as set forth in the claim is found. *See* MPEP § 2131 (citing *Verdegel Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051 (Fed. Cir. 1987)). Independent claim 23 claims an apparatus that includes, in combination with other elements, “an actuator operative to provide tactile feedback that correlates with the sensor signal,” wherein the “sensor signal . . . correlates with a detected motion of said manipulandum.” (emphasis added).

Paley does not disclose an apparatus that includes “an actuator operative to provide tactile feedback that correlates with the sensor signal,” wherein the “sensor signal . . . correlates with a detected motion of said manipulandum,” as claimed. In contrast, Paley describes “imparting tactile feedback to a user based on the position of the locating means” *See* Paley at col. 4, line 66 to col. 5, line 4 (emphasis added). Paley describes that “[a] computer compares the actual position and orientation of the mouse with the object and generates tactile feedback” *See* Paley at col. 5, lines 14-18 (emphasis added). Thus, Paley does not disclose each and every element of independent claim 23.

Therefore, Applicant respectfully submits that independent claim 23 is patentable over Paley. Claims 29-33 depend ultimately from independent claim 23 and are, therefore, also allowable for at least the same reasons as claim 23. Accordingly, the rejection to claims 23 and 29-33 should be withdrawn and the claims allowed.

B. Claims 28, 34, and 58

The Office Action rejected claims 28, 34, and 58 under 35 U.S.C. § 103(a) as being unpatentable over Paley in view of Dunaway. Claims 28, 34, and 58 depend from independent claim 23.

One of the criteria for a prima facie case of obviousness is that “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” *See* MPEP § 2143. The cited references do not teach or suggest all the claim elements of claim 23. Each of claims 28, 34, and 58 claims an apparatus that includes, in combination with other elements, “an actuator operative to provide tactile feedback that correlates with the sensor signal,” wherein the “sensor signal . . . correlates with a detected motion of said manipulandum.”

As discussed above, Paley does not disclose an apparatus that includes “an actuator operative to provide tactile feedback that correlates with the sensor signal,” wherein the “sensor signal . . . correlates with a detected motion of said manipulandum,” as claimed. As noted by the Office in the non-final Office Action, mailed on May 30, 2002 (Paper No. 2), “Dunaway does not disclose an actuator operative to provide tactile feedback to the user.” *See* non-final Office Action at page 3. Thus, neither Paley nor Dunaway teaches “an actuator operative to provide tactile feedback that correlates with the sensor signal,” wherein the “sensor signal . . . correlates with a detected motion of said manipulandum.” Therefore, Paley and Dunaway fail to teach or suggest all the claim elements of each of claims 28, 34, and 58.

Applicant respectfully submits that claims 28, 34, and 58 are each patentable over Paley in view of Culver. Accordingly, the rejections to claims 28, 34, and 58 should be withdrawn and the claims allowed.

C. Claims 24-27

The Office Action rejected claims 24-27 under 35 U.S.C. § 103(a) as being unpatentable over Paley in view of Culver. Claims 24-27 depend ultimately from claim 23.

As discussed above, one of the criteria for a prima facie case of obviousness is that the prior art reference (or references when combined) must teach or suggest all the claim limitations. The cited references do not teach or suggest all the claim elements of each of claims 24-27. Claims 24-27 each claim an apparatus that includes, in combination with other elements, “an actuator operative to provide tactile feedback that correlates with the sensor signal,” wherein the “sensor signal . . . correlates with a detected motion of said manipulandum.”

As discussed above, Paley does not disclose an apparatus that includes “an actuator operative to provide tactile feedback that correlates with the sensor signal,” wherein the “sensor signal . . . correlates with a detected motion of said manipulandum,” as claimed. Culver also does not disclose an apparatus that includes “an actuator operative to provide tactile feedback that correlates with the sensor signal,” wherein the “sensor signal . . . correlates with a detected motion of said manipulandum,” as claimed. Thus, Paley and Culver fail to teach or suggest all the claim elements of each of claims 24-27.


Applicant respectfully submits that claims 24-27 are each patentable over Paley in view of Culver. Accordingly, the rejections to claims 24-27 should be withdrawn and the claims allowed.

CONCLUSION

The Applicant respectfully submits that claims 23-34 and 58 are allowable. A favorable Office Action is respectfully solicited. The Examiner is invited to contact the undersigned by telephone to discuss any matter related to the Application.

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Respectfully submitted,



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